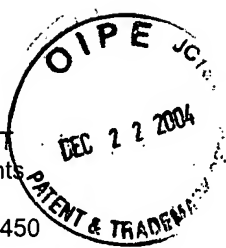


Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



In re application of: Johann ENGELHARDT, et al.  
Serial No.: 10/766,260  
Filed: January 27, 2004  
For: **SCANNING MICROSCOPE AND COUPLING-OUT ELEMENT**

Sir:

Transmitted herewith is a **Response to Election Requirement (1 page)** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☒ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)	(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus 20	=	0	x \$ 25	\$		x \$ 50	\$
INDEP. CLAIMS	* Minus 3	=	0	x \$100	\$		x \$200	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$180	\$	+	\$360
				TOTAL:	\$	OR	TOTAL:	\$

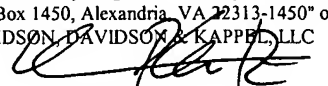
- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☐ Also transmitted herewith are:  
☐ Petition for extension under 37 C.F.R. 1.136  
☐ Other:  
☐ Check(s) in the amount of \$0.00 is/are attached to cover:  
☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☐ Petition fee for extension under 37 C.F.R. 1.136  
☐ Other:  
☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.  
☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.  
☒ Any patent application processing fees under 37 C.F.R. 1.17.  
☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

  
 Cary S. Kappel, Reg. No. 36,561  
 (signing for Erik R. Swanson, Reg. No. 40,833)  
 DAVIDSON, DAVIDSON & KAPPEL, LLC  
 485 Seventh Avenue, 14<sup>th</sup> Floor  
 New York, New York 10018  
 Tel: (212) 736-1940  
 Fax: (212) 736-2427

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on December 20, 2004.  
 DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:

  
 Oliver Platz



**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Re: Application of: **Johann ENGELHARDT et al.**  
Serial No.: 10/766,260 Confirmation No.: 3405  
Filed: January 27, 2004  
For: SCANNING MICROSCOPE AND COUPLING-OUT  
ELEMENT  
Art Unit: 2872  
Examiner: Mark A. Robinson  
Customer No.: 23280

December 20, 2004

**RESPONSE TO ELECTION REQUIREMENT**

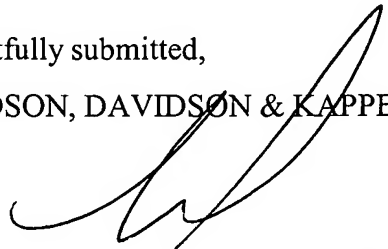
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Election Requirement dated November 22, 2004, applicants hereby elect the species of Figures 6 and 7 (Groups C and a), on which claims 1-15 read.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By   
Cary S. Kappel, Reg. No. 36,561  
(signing for Erik R. Swanson, Reg. No. 40,833)

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